

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

IN RE:

Jamieson CAPEX Fund, LLC

CASE NO. 24-30422

Debtor

CHAPTER 11

FIRST INTERIM APPLICATION OF THOMAS J. KAPUSTA FOR SUBCHAPTER V TRUSTEE FEES AND
EXPENSES

Thomas J. Kapusta, in his capacity as the Sub Chapter V Trustee d/b/a TK Enterprises, LLC {"Applicant"}, pursuant to 11 U.S.C. §§ 330 and 331, hereby requests that the Court approve its Application and enter an Order thereby awarding certain Sub Chapter V Trustee fees and expenses incurred in connection with this case. In support thereof, Applicant respectfully represents:

1. Applicant is the Sub Chapter V Trustee of record for the Chapter 11 proceeding and has acted as such since being appointed same on September 24, 2024.
2. Thomas J. Kapusta is manager and sole member of TK Enterprises, LLC. Thomas J. Kapusta has over 40 years of experience as a practicing attorney in multiple jurisdictions.
3. Applicant has expended time in the form of professional services in support of this Chapter 11 Sub Chapter V proceeding. This time has been itemized on records reflecting the work performed by the Applicant during the period covered by this Second Interim Application. Attached hereto as Exhibit "A" are the time records/invoicing (Invoice 140A) related to the services, setting forth the date of each service, a description of the service

rendered, and the time spent rendering such service at a rate of \$285.00 per hour plus expenses noted, and the resulting fee charge on account of the service listed.

4. Applicant has listed on Exhibit "A" any expenses incurred directly in connection with Applicant's duties as Sub Chapter V Trustee of this proceeding and were necessary to Applicant's services.
5. This first interim application includes fees and expenses in the aggregate amount of \$2694.50 including expenses in the amount of \$129.50 for the period of September 24, 2024, through November 26, 2024, that have not been previously applied for or approved for payment.
6. Work on this case during the time concerned has involved services from the Applicant related to the: (i) review, evaluation and verification of the Debtor's Schedules and Statements as required under 11 U.S.C. §521; (ii) meeting with the United States Trustee's office and court including the Initial Debtor Interview; the first meeting of creditors; working with Debtor Counsel and with Debtor and debtors creditors, (iii) reviewing any Debtor monthly operating reports; (iv) and general work including financial analysis, review of motions and responding to inquiries, meeting with applicable creditors and debtor counsel regarding the Chapter 11 Sub Chapter V proceeding.
7. The undersigned trustee represents to the Court that the services and expenses provided during the period covered by this First Interim Fee Application were ordinary and necessary given the nature of this Chapter 11 Sub Chapter V proceeding, and that no work was excessive or detrimental to the Bankruptcy Estate.

8. Applicant further requests that the Court, pursuant to 11 U.S.C. § 330 and 331 approve the allowance of fees and expenses as sought in this First Interim Fee Application and authorize the Applicant to receive such fees and expenses immediately from Debtor as approved by the Court.

WHEREFORE, Applicant prays that the Court, pursuant to 11 U.S.C. § 330 and 331, enter an Order approving the First Interim Application for Fee and Expenses of the Applicant, and award compensation for services rendered and expenses in the amount of \$2694.50 for the period covered in the First Interim Application, and allow the Applicant to immediately be paid by Debtor the approved amount, and for any and all other relief deemed just and equitable in the premises.

Dated: November 27, 2024

Signed: Thomas J. Kapusta

Thomas J. Kapusta, Sub Chapter V Trustee
TK Enterprises, LLC
PO Box 90624
Sioux Falls, SD 57109
Phone: 605-376-6715
Email: tkapusta@aol.com

Thomas J Kapusta		EXHIBIT A	
TK Enterprises, LLC			
Subchapter V Trustee			
PO Box 90624	Sioux Falls, SD 57109	Phone: 605-376-6715	tkapusta@aol.com
Bill To: Jamieson CAPEX Fund LLC Maurice VerStandig The Dakota Bankruptcy Firm 1630 1st Avenue N Suite B PMB 24 Fargo, ND 58102		Phone: 701-394-3215	Invoice #: 140A
Address: See above		Email: mac@mbvesq.com	Invoice Date: November 27, 2024
Case Name: Jamieson CAPEX Fund LLC		Case #: 24-30422	

Date	Services	Time Spent	Fee Total
9/24/2024	Receive new assignment to review, check conflicts, prepare and submit verified statement and review entries 1-10.	.8 hr	\$228.00
9/26/2024	Review entries 11-15 and calendar events	.3 hr	\$85.50
10/1/2024	Review entries 16-17	.2 hr	\$57.00
10/1/2024	Preliminary review of debtor tax returns	.2 hr	\$57.00
10/2/2024	Review entry 18	.1 hr	\$28.50
10/2/2024	Prepare and submit monthly trustee report	.1 hr	\$28.50
10/8/2024	Review entry 19-20	.1 hr	\$28.50
10/14/2024	Review debtor's documents provided for IDI	.2 hr	\$57.00
10/15/2024	Review entry 21	.1 hr	\$28.50
10/17/2024	Review entries 22-24 and attend IDI	.8 hr	\$228.00
10/23/2024	Review IDI documents sent by USTO	.5 hr	\$142.50
10/24/2024	Review bank statements sent by debtor	.1 hr	\$28.50
10/24/2024	Attend 341 meeting	1.3 hr	\$370.50
10/26/2024	Review proof of claim 1-1	.1 hr	\$28.50
11/7/2024	Review proof of claim 2-1 and entry 26	.2 hr	\$57.00
11/7/2024	Attend continuation of 341 meeting	.7 hr	\$199.50
11/9/2024	Review entries 27-28	.3 hr	\$85.50
11/11/2024	Review entry 29	.2 hr	\$57.00
11/11/2024	Review entry 30	.1 hr	\$28.50
11/12/2024	Prepare and submit trustee report for status conference	.2 hr	\$57.00
11/15/2024	Review entries 32-33	.2 hr	\$57.00
11/15/2024	Review proof of claim 3-1	.1 hr	\$28.50
11/18/2024	Review entry 34	.1 hr	\$28.50
11/19/2024	Review entry 35	.1 hr	\$28.50
11/19/2024	Attend status conference	.6 hr	\$171.00
11/21/2024	Review entries 36-41, calendar events and sent email to debtor counsel regarding plan	.6 hr	\$171.00
11/24/2024	Review associated cases and entries 42-46	.5 hr	\$142.50
11/25/2024	Review email from debtor counsel	.1 hr	\$28.50
11/26/2024	Review email from debtor counsel, review documents sent attached and read USTO response	.1 hr	\$28.50
		Invoice Subtotal for services only	\$2,565.00
		Service of process expense	\$129.50
DUE UPON RECEIPT.			
Make all checks payable to Thomas J Kapusta.			
		TOTAL	\$2,694.50

TRUSTEE SIGNATURE: ss/Thomas J. Kapusta
 Date: November 27, 2024

Thomas J Kapusta

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NORTH DAKOTA

IN RE:

Jamieson CAPEX Fund, LLC

CASE NO. 24-30422

Debtor

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**NOTICE OF FIRST INTERIM APPLICATION OF THOMAS J. KAPUSTA
FOR SUBCHAPTER V TRUSTEE FEES AND EXPENSES**

Thomas J. Kapusta, Subchapter V Trustee, has filed an application to be paid from the bankruptcy estate \$2565.00 for compensation for fees and \$129.50 for reimbursement of expenses, for a total of \$2694.50 in fees and expenses. Your rights may be affected. You should read the application and this notice carefully and discuss them with your attorney. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to approve the application, you or your attorney have twenty-one (21) days to file with the Bankruptcy Clerk, a typewritten response explaining your position. The response must include the case name and case number and be signed and dated by you or your attorney. The response should also include your daytime telephone number or, if your attorney files the response, your attorney's telephone number. Only an attorney may file a response on behalf of a corporation, a partnership, or another formal legal entity.

If you are an attorney, you must file any response electronically. See additional information regarding electronic filing (CM/ECF) on the Court's website at www.ndb.uscourts.gov. If you are not an attorney, your response may be mailed or delivered to the Bankruptcy Clerk, whose address is 655 1st Avenue North, Suite 210, Fargo, North Dakota 58102-4932. The response must be mailed early enough to ensure the Bankruptcy Clerk receives it on or before the deadline stated above.

If you or your attorney files a response, you or your attorney must also mail a copy of the response to

parties in interest who will not receive electronic notice of the response. You or your attorney may obtain the names and addresses of the parties-in-interest listed in by contacting the Bankruptcy Clerk's office at (701) 297-7100.

A hearing on the application may be set by separate order if a response is filed on or before the deadline stated above. If you or your attorney files a response to the application on or before the deadline stated above, the Court will call you or your attorney at the scheduled hearing time using the telephone number provided in the response. If an evidentiary hearing is needed, the Court will set the date, time, and place for the evidentiary hearing during the telephonic hearing. Only an attorney may represent a corporation, a partnership, or another formal legal entity at a hearing.

If no one files a response on or before the deadline stated above, the Court may enter an order granting the application without a hearing.

Dated: November 27, 2024

Signed: s/Thomas J. Kapusta



Thomas J. Kapusta

TK Enterprises, LLC

PO Box 90624

Sioux Falls, SD 57109

Phone: 605-376-6715

email: tkapusta@aol.com

Sub Chapter V Trustee